

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed June 26, 2008. At the time of the Office Action, Claims 1-36 were pending in this Application. The Office Action set forth an election/restriction requirement of the claimed inventions between:

- I. **Claims 1-14**, drawn to a method of applying electrical energy to tissue, (classified in class 606, subclass 34).
- II. **Claims 15-17**, drawn to a method of creating a plasma in a body lumen using a platinum active electrode, (classified in class 604, subclass 500).
- III. **Claims 18-26 and 36**, drawn to a system for applying electrical energy to tissue at a target site, (classified in class 606, subclass 41).
- IV. **Claims 27-32**, drawn to a method of applying electrical energy to tissue wherein the active electrodes have a temperature below 100 degrees centigrade, (classified in class 604, subclass 500).
- V. **Claim 33**, drawn to a method for applying electrical energy to tissue wherein the conductive fluid comprises of .1% to .85% sodium chloride, (classified in class 604, subclass 500).
- VI. **Claims 34-35**, drawn to a method for applying electrical energy to tissue wherein the active electrode is maintained at least 1.0mm away from tissue, (classified in class 604, subclass 500).

Applicants hereby elect, without traverse, to prosecute the invention of Group IV, Claims 27-32. Accordingly, Applicants hereby withdraw claims 1-26 and 33-36 without prejudice or disclaimer and submit that the cancelled claims are subject to the filing of a divisional application. Applicants respectfully request consideration of elected claims 27-32 and favorable action in this case.

Information Disclosure Statement

Applicants enclose an Information Disclosure Statement and PTO Form 1449, with copies of the references for the Examiner's review and consideration.

Applicants would like to bring to the Examiner's attention that Applicants filed an Information Disclosure Statement on December 19, 2007. Applicants respectfully request that the Information Disclosure Statement be considered and cited in the examination of the above-referenced application.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request consideration of the elected claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-0359 of ArthroCare Corporation in order to effectuate this filing.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.358.5925.

Respectfully submitted
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Date:

7/28/08

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Enclosure: 1) Information Disclosure Statement and PTO Form 1449, with copies of the references.